

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STEELCASE, INC. a Michigan
corporation,

Plaintiff,

Case No.: 1:04cv0026
Hon. Robert Holmes Bell

v.

Chief, U. S. District Judge

HARBIN'S INC., an Alabama
corporation, MICHAEL G. HARBIN
and HOPE D. HARBIN PATTERSON (now
HOPE DUNCAN PATTERSON),

Defendants.

MILLER, JOHNSON, SNELL &
CUMMISKEY, P. L. C.
Jon G. March (P17065)
Attorneys for Plaintiff
250 Monroe Avenue, N. W. - Ste 800
P. O. Box 306
Grand Rapids, MI 49501-0306
(616) 831-1700

SILVERMAN, SMITH & RICE, P.C.
Robert W. Smith (P31192)
Attorneys for Defendant Michael G. Harbin
151 S. Rose Street
707 Comerica Building
Kalamazoo, MI 49007
(269) 381-2090

**BRIEF IN SUPPORT OF MOTION FOR LEAVE TO FILE REPLY BRIEF
REGARDING PLAINTIFF'S RESPONSE TO DEFENDANT MICHAEL G. HARBIN'S
MOTION FOR CHANGE OF VENUE, OR ALTERNATIVELY, TO ADJOURN THE
TRIAL AND SETTLEMENT CONFERENCE**

The citation of "relevant facts" and reference to documents filed by both parties contained in Plaintiff's Response to Defendant Michael G. Harbin's Motion for Change of Venue, or Alternatively, to Adjourn the Trial and Settlement Conference ("Plaintiff's Response Brief"), are misleading and do not accurately reflect the posture of this case. It

is requested that the Court grant Defendant Michael G. Harbin ("Harbin") leave to file a reply brief so that the Court may be presented with argument which accurately reflects the procedural background of this case, and to explain its present posture which is now far different than it was almost four months ago when Harbin filed his Motion for Change of Venue, or Alternatively, to Adjourn the Trial and Settlement Conference.

Dated: September 1, 2005

SILVERMAN, SMITH & RICE, P.C.
Attorneys for Defendant Michael G. Harbin

/s/ Robert W. Smith
Robert W. Smith (P31192)